

TONIGHT FAIR AND SLIGHTLY COLDER, FREEZING TEMPERATURE, WED. NEDAY: FAIR; WARMER IN WEST PORTION.



## SULZER CEASES TO BE GOVERNOR

Will Not Exercise Functions of Office Until End of His Trial.

MUST ANSWER CHARGES

High Court Surprised By Points Advanced By Judge Herrick.

Albany, N. Y., Sept. 23.—D. Cady Herrick, counsel for Governor Sulzer, announced at the outset of today's session of the high court of impeachment that the governor would cease henceforth to exercise the functions of the executive office, until the termination of his trial.

Nearly all the members of the court were in their seats when it convened. "The court having overruled the motion of the respondent," said Judge Cullen, "to dismiss the articles of impeachment on the ground that the assembly had no right to prefer the charges at any extraordinary session, it now becomes incumbent on the respondent to make answer to the charges."

Judge Herrick, chief counsel for Governor Sulzer, then announced that in view of the fact that the court had refused to dismiss the proceedings, the governor would renounce his claim to the rights to exercise the functions of governor pending the termination of the trial.

"When these articles of impeachment were first presented," Judge Herrick said, "the governor was advised that there was doubt about the legality of the proceedings and for that reason he declined to step down from his office. Ever since the recent decision of Supreme Court Justice Haubrock, ruling that he had not the right to pardon a prisoner, he has ceased to exercise any of the functions of his office. Governor Sulzer will perform no functions of governor in the future, pending the termination of his trial."

One of the leading Sulzer lawyers, Judge Irving G. Vann, of Syracuse, was forced to return home today on account of illness. His brief in support of the contention that the assembly was without authority to impeach for offenses which occurred before the governor assumed office was read by one of the lawyers.

Judge Herrick had the floor throughout the morning session. After a long address in support of his motion for the dismissal of three articles of the impeachment, dealing with Sulzer's statement of campaign expenses and alleged speculations in Wall Street, he summed up his argument as follows:

"The failure of the governor to file a complete and accurate statement of campaign contributions did not constitute any offense recognizable by our laws. Law Does Not Require Statement. The election law does not require a statement of contributions made to a candidate."

"The failure of a candidate to file the statement required by this act is not an offense but subjects him to a preemptory demand by a court to perform this duty. William Sulzer never received such a demand. Had Right to Be Notified."

"The statute recognizes a candidate to be given notice of errors in his statement, and his right to an opportunity to correct them. The state cannot call him to account until it first has accorded him the right."

"The penal code does not require a candidate to file a statement of contributions made to him, and there



Norman E. Mack, of Buffalo, N. Y., former chairman of the Democratic national committee and former chairman of the Democratic state committee, said to appear recently before Governor Sulzer's special investigator, to answer the allegation that he had failed to include in his statement of campaign funds some \$300,000 he is said to have collected. Instead, Mr. Mack filed suit against Special Investigator John A. Hennessy, who makes the accusation.

## MERCHANT FOUND DEAD IN HOTEL

Lured to Room By Supposed Salesman, Throttled and Shot Through Head.

LOUISVILLE, Ky., Sept. 23.—The murder in Indianapolis last night of Joseph Schlansky, a merchant, who had been lured to a room at a hotel by a young man giving the name of W. R. Anderson, is believed by the Louisville police to be one of a series of crimes alleged to have been committed recently in eastern and middle western cities by Joseph Ellis, alias Robert Duncan, son of a carpet manufacturer of Richmond, Va.

Two robberies in this city last week are charged to young Ellis by the police, and a bloody suit of clothes which he sold to a second-hand dealer here is being held by detectives.

Murderer is Identified. Ellis also has been identified from a photograph as the man who recently committed a daring hotel robbery in Pittsburgh, where he gave the name of Fred Brokaw, alias Boley, alias White. Sticklers on a suit case carried by Ellis indicate that recently he has been in Boston, New York, Cleveland, Columbus, Toledo and Cincinnati.

Young Ellis was taken into the home of a prominent young Louisville man when the latter discovered him crying because the naval recruiting officer here had refused to accept his enlistment.

"Why do you take me into your home?" Ellis asked the Louisville man. "I am a stranger, and how do you know that I may not get up in the night and rob you or kill you?"

Another Victim Tells Story. M. Raff, who was the victim of a sensational robbery in a hotel here Saturday afternoon, declared that a description of the man who gave the name of Anderson in Indianapolis is identical with that of Ellis, who he declares robbed him.

The robbery of a residence here is charged to Ellis by the police, and the finding of the suit of blood-stained clothes leads the officers to believe that the young man was involved in a more serious crime when coming to Louisville.

The woman at whose house Ellis had stayed for several days, says that when she noticed the blood on the clothes in Ellis' room, he explained that he had been in a fight with a man in a restaurant in New York City.

Read Detective Stories. While here, Ellis spent much time in the house library, reading principally detective stories.

The young man who had befriended Ellis here received a telegram from Jacob Ellis, of Richmond, Va., in which the latter declined to send money to his son.

"I had trouble with my boy in New York, California and Richmond," read the telegram, "and I cannot control him. He made me poor. I refuse to send money for ticket."

Ellis is described as about 29 years old, about 5 feet 6 inches tall, 130 pounds in weight, athletic build, well-dressed and of cultured manners.

Ellis purchased a ticket to Indianapolis Saturday afternoon about an hour after the robbery of Raff was committed.

SCHMIDT'S FATHER IS COMING TO NEW YORK

New York, Sept. 23.—The aged father of Johann (Hans) Schmidt, self-confessed murderer of Anna Amulter, has decided to come to New York from his home in Germany, according to a dispatch received here last night. The parents of Hans Schmidt still hope to find that the accused priest is not their son.

Two assistants employed by District Attorney Whitman will examine Schmidt, probably tomorrow.

## REDSKIN PRESENTS LANE WITH ARROWS; MAKES SECRETARY TRIBE'S "BIG CHIEF"



Ishi presenting arrows to Secretary Lane. On the occasion of Secretary of the Interior Lane's visit to San Francisco a few days ago, he was presented with some arrows by Ishi, the last of the Deer Creek Indians. Ishi, who was the only Indian in the country not under the secretary's jurisdiction, presented the arrows to the latter as a sign of Mr. Lane's authority. Ishi made the secretary "big chief" of the Deer Creek tribe.

## DOCTOR DRIVEN FROM MEXICO

Rebel Leader Robs American Physician and Tells Him to Leave

FAMILY FLED IN MAY

Prominent Mexican Women Jailed; Threat to Kill American Dam Co. Officers.

El Paso, Tex., Sept. 23.—Dr. C. E. Schackelford, an American citizen, arrived here today from Santa Rosalia, Chihuahua, Mexico, fleeing from Pancho Villa, the rebel leader, who gave him twenty-four hours to get out or be killed. Dr. Schackelford is a native of Frankfort, Ky., and has been living in Santa Rosalia six years.

He says when Villa and his rebel band entered the town on the 15th, Villa sent for him, told him he was tired of "you American filibusters" being in Mexico, and declared that he would shoot them all if they did not get out.

Rebel Leader Takes Everything. "Villa took all my books and accounts and told me he would collect my money," the doctor added. "He also said my house and furnishings were forfeited to the rebels, and placed two guards over me to see that I did not depart with any money or property. I left at 1 o'clock this morning of the sixteenth. I had to walk out, carrying a suit case, which is all I saved. I hired an old mule at a ranch and finally reached the Texas line. My family was forced to flee from Santa Rosalia in May last. They are now in Chihuahua."

Prominent Women in Jail. All the Mexican men of prominence in Santa Rosalia have had to flee from the rebels and when I left there last Tuesday morning Villa had thrown all the prominent Mexican women in town into jail, and had searched every home for money.

"Villa told me he was going to kill the American officials of the Conchos Dam company, near Santa Rosalia."

TEN WITNESSES TELL OF DEEDS

Bixby Defense Calls Prominent People to Testify Regarding His Character.

Los Angeles, Cal., Sept. 23.—When the trial of George H. Bixby, the Long Beach millionaire, charged with having contributed to the delinquency of two girls, was resumed today, the defense continued presenting character witnesses. Dr. J. W. Calvin, an ice manufacturer of Azusa, Cal., formerly a fellow member with Bixby of the Los Angeles County Highway commission, Dr. William Horace Day, pastor of the First Congregational church of Los Angeles; Dr. Rebecca Lee Dorsey of Los Angeles, one of Bixby's family physicians, and Charles E. Mitchell, a Masonic instructor and former employer of the Bixby family, were called to testify as to Bixby's reputation.

Dr. Day said he knew Bixby had been largely interested in philanthropic work.

Judge B. F. Bledsoe allowed the defense to call ten character witnesses in all.

Later, it was announced, Oscar Lawler, one of Bixby's attorneys, would take the stand and endeavor to impeach Cleo Helen Barker, the defendant's chief accuser, in the present trial. It was said Lawler would testify concerning statements the girl was said to have made during a call at his office.

COAL MINES OF COLORADO ARE COMPLETELY TIED UP

Denver, Colo., Sept. 23.—The coal miners' strike in Colorado, called by the United Mine Workers of America, to secure recognition of the union, wage and other concessions, became effective at 5 o'clock this morning. Except in a few small mines, the tie-up was more or less complete and was accompanied without disorder. Of the 10,000 to 12,000 men usually employed, reports placed the number idle at between 7000 and 9000. How many of these previously had left the various camps could not be determined.

Tie-up Will Be Complete. United Mine Workers officials expressed gratification and predicted that the tie-up would be practically complete by night. Some of the large operators stated that their private reports showed as high as 35 per cent of men at work in some mines. They expressed the belief that many if the men would go back to work in a few days.

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New York Attorney Replies—Tells Governor Extradition Is Plain Duty.

Concord, N. H., Sept. 23.—Harry Kendall Thaw wept today as his counsel pleaded with Governor Folger not to surrender him to New York authorities who were determined to return the fugitive to the Matteawan insane asylum.

Seated only a few feet from William Travers Jerome, Thaw followed the arguments closely and when his eyes were not blinded by his handkerchief they were fixed intently on the face of the special deputy attorney general of New York, as though he was the man to be convinced. By Thaw's side sat his mother and brother.

Jerome Opens Arguments. Jerome opened the extradition arguments by merely saying that the duty of the governor to grant the extradition was plain.

William C. Chase of Concord, former judge of the supreme court, and William A. Stone of Pittsburgh, former governor of Pennsylvania, argued for Thaw. They occupied an hour and a half after which an adjournment until 2 o'clock was taken. This afternoon was given to Jerome to reply.

Judge Chase and Governor Stone argued the petition for extradition was insufficient in form and unsupported by the necessary evidence and that the state of New York having through its courts declared Thaw insane, could not now request from New Hampshire his extradition for a crime which by its nature only a sane man could commit. This alleged crime was conspiracy to escape from Matteawan.

Mr. Jerome declared this afternoon that the Dutchess county grand jury had indicted Thaw. He said that an indictment was found and signed but it had not been made public at his request in order that he might present to the jury evidence against the instigator of this plot, a man of more importance than any one yet mentioned in this proceeding.

Governor Stone asked for time to file supplementary briefs and was granted until Monday. The hearing was then declared at an end.

In a sharp reply to Jerome, Governor Stone charged the deputy attorney general had hoodwinked Thaw from the night that Stanford White was murdered.

## WOULD REVISE CURRENCY BILL

Senators Reed, Hitchcock and Bristow Propose Complete Change of Outline.

VIGOROUS FIGHT MADE

Claim Regional Plan Would Make Individual Banks Subservient to Combinations.

Washington, Sept. 23.—Complete revision of the framework of the administration currency bill was proposed by Senators Reed, Hitchcock and Bristow today during the expiration of Samuel Undermyer before the senate banking committee.

Reed and Hitchcock have vigorously assailed certain provisions of the house bill. Today Senator Reed advanced what he called the Hitchcock plan which would eliminate the scheme of regional reserve banks and substitute a government issue of currency to individual banks on commercial paper backed by a fifty per cent gold reserve up to 75 per cent of the capital stock of each bank. That would be in addition to the present bank note issue.

Senator Reed criticized the regional bank plan as making the individual banks "subservient to combinations of banks." Mr. Undermyer opposed the Hitchcock plan as not offering enough security to the government for the issue of currency. Mr. Undermyer will return Monday.

ARSON SQUAD BUSY

Liverpool, England, Sept. 23.—Mill-tant suffragettes set fire early today to Seaford House at Seaford, four miles northwest of Liverpool, causing \$400,000 damage. The members of the "arson squad" left a quantity of suffragette literature strewn about the lawns.

HOOSIER DRAWS TICKET NO. 1

Glasgow, Mont., Sept. 23.—Samuel A. Crow, of Hammond, Ind., drew ticket No. 1 in the Fort Peck land opening today.

After Crow, the following drew tickets: Thomas J. McBrady, Olympia, Wash.; John J. Gilpit, Fort Scott, Kan.; Martin Goldman, Miles City, Mont.; Charles Drake, Helena, Mont.; Charles E. Neeley, Havre, Mont.; Harry Moran, Crown Point, Ind.; Hiram C. Saunders, Clarkson, Neb.; Carl A. Peterson, Hinsdale, Mont.

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## REFUGEES DUE IN TEXAS CITY

Consul Reports Large Number of Americans Sent Out of Mexico.

Washington, Sept. 23.—Today's diplomatic dispatches reported twenty-eight American refugees due in Texas City tomorrow from Vera Cruz on the steamer City of Tampico. The consul at Tampico reported that since August 23 he had sent more than 300 refugees to Laredo and Galveston, and that only a few more were expected to go from Tampico.

When rebels dynamited a railroad train 65 miles south of Saltillo recently, the only American aboard, W. W. Marvian of San Francisco escaped injury, but was robbed of ninety pesos.

Refugees from Durango. Mexico City, Sept. 23.—Twenty-five American refugees from Durango arrived here today, having travelled overland to Zacatecas, where they boarded a train for the capital. Out of the normal American population in Durango of 3000 less than 25, all men, remain.

Most other foreigners also have left Durango, according to the refugees, who say that the rebels rob Mexicans and foreigners indiscriminately. Some ranches were looted so often that nothing portable remains.

## HIGH SCHOOL HAS HAD ITS ELECTION

After several days of campaigning and electioneering, the students of the high school have calmed down to normal, for the annual election is over. The following now hold office:

Claud Farr, mayor; George Stoddard, editor in chief of the Classic; Glen Macbeth, school judge; Arthur Perkins, school attorney; Tiny Spurgeon, yell master; The other editors of the Classic are:

Gleason Rich, assistant; Lois Gowans, society; Ralph Fuller, athletics; Ethel Harris, staff artist; Archie Moyes, business manager; John Leach, head, circulation.

The staff of the Classic will once go to work gathering material for the Thanksgiving issue.

## STEEL EXPECTED TO REACH OGDEN BY OCT. 15

Foreman Niles of the Dinwiddie company states that by October 15 steel for the Eccles skyscraper will be on hand and that everything for construction work will be ready. Mr. Dunvas, the steel contractor, will have his force of men and all necessary apparatus here by that time and the large derricks will be in position.

Unless bad weather prevails in the next few weeks, Mr. Niles says construction work will go ahead rapidly and by the first of the year the entire building will be nearing completion.

## PERUVIAN EXILE VISITS AMERICA

Augusto B. Leguia, former president of Peru, who was sent into exile by his successor, Guillermo E. Billinghurst, recently arrived in New York. After a brief stay in this country he will go to Europe and make his home in the south of France until the political unrest in Peru quiets.

## GAY WHITE WAY SEES ITS FINISH

Saloon and Dance Hall Men of San Francisco Must Close Resorts.

BITTER FIGHT ENDS

Barbary Coast to Be Eliminated—Constructive Problem Faces Club Women.

San Francisco, Sept. 23.—"It's curtains for the Coast. Our finish has come."

So said "Red Kelly, one of the well-known figures of the night life here in commenting today on last night's action of the board of police commissioners against San Francisco's celebrated Barbary Coast. Kelly is a keeper of a saloon and dance hall on what was once the city's gay white way. His opinion is regarded as authoritative. It was voiced only after night-long conferences among the saloon men of the tenderloin, who sought vainly to devise ways and means to "beat" the commissioners' resolutions, which were unanimously adopted.

Theodore Roche, president of the commission and author of the resolutions, in a statement today says: "Problem for Club Women."

"Now that the resolutions have been passed, a constructive problem confronts the women's club and other organizations that aligned themselves in the fight for the elimination of the Barbary Coast. There are more than 500 women who gained their livelihood by working in the dance halls on the Barbary Coast. Many of these women supported their parents and children by their earnings in the dance halls and they were not women of the underworld in the accepted meaning of the term. If they are not to be driven into a life of ignominy and wretchedness they should be helped on to legitimate employment."

Spanning Place for Crime. Probably next to Chinatown, no district in San Francisco is better known than the Barbary Coast. Many famous writers have given the world graphic descriptions of its sights. It was notorious in early days as a spawning place for crime. From time to time efforts have been made to abolish it but always without avail.

REPRESENTATIVE VERY ILL

Thomasville, Ga., Sept. 23.—The condition of Representative S. A. Roderberry, ill at his home here, was today very critical.

## M'REYNOLDS TO BRING SUIT SOON

Southern Pacific to Be Compelled to Relinquish Central Pacific.

Washington, Sept. 23.—Attorney General McReynolds will soon bring a civil anti-trust suit to compel the Southern Pacific railroad to relinquish the Central Pacific in accordance with the announcement he made in connection with the Union Pacific-Southern Pacific dissolution.

The entire \$80,000,000 of Central Pacific stock is owned by the Southern Pacific and the attorney general considers this a combination of competing lines and in violation of the Sherman law.

## TODAY'S GAMES

St. Joseph, Mo., Sept. 23.—(West-ern)—Wichita 4, St. Joseph 3.

Brooklyn 6, Pittsburgh 1. Pittsburgh, Sept. 23.—(National)—First game: R. H. E. Brooklyn 6 12 0 Pittsburgh 1 8 5 Batteries—Yingling and W. Fisher; Shenn, Mannix and Simon.

Chicago 2, Boston 3. Boston, Sept. 23.—(American)—First game: R. H. E. Chicago 3 6 2 Boston 3 6 2 Batteries—Scott and Daly; Collins and Thomas.

Detroit 8, Philadelphia 2. Philadelphia, Sept. 23.—(American)—R. H. E. Detroit 8 12 3 Philadelphia 2 11 1 Batteries—Williams, Comstock and Gibson; Pennock and Schang, Lapp.

Chicago 3, Boston 2. Boston, Sept. 23.—(American)—Second game: R. H. E. Chicago 3 6 2 Boston 3 6 2 Batteries—Walsh, Russell and Schalk; Bedient and Cady.

Brooklyn 1, Pittsburgh 0. Pittsburgh, Sept. 23.—(National)—Second game: R. H. E. Brooklyn 1 10 2 Pittsburgh 0 5 0 Batteries—Rucker and Atcher; Conzelmann and Gibson.

(Additional Sports on Page Two)

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